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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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3  
4 United States of America,

5 Plaintiff,

08-3544m

6 v.

ORDER OF DETENTION

7 Dustin Dennis Raphael,

8 Defendant.

9  
10 In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held.

11 The Court incorporates and adopts by reference the assessment of  
12 nonappearance/danger findings of the Pretrial Services Agency which were reviewed  
13 by the Court at the time of the hearing in this matter.

14 Defendant does not dispute the information contained in the Pretrial Services  
15 Report

16 The Court concludes, by a preponderance of the evidence, that defendant is a  
17 flight risk and requires detention pending trial.

18 The Court also concludes, by clear and convincing evidence that defendant is a  
19 danger to others and the community and requires detention pending trial.

20 No condition or combination of conditions will reasonably assure the appearance  
21 of defendant as required or reasonably assure the safety of others and the community.

22 IT IS THEREFORE ORDERED that defendant be detained pending further  
23 proceedings. 18 U.S.C. §3143; Rules 32.1(a)(1) and 46(c), Federal Rules of Criminal  
24 Procedure.

25 DATED this 18th day of December, 2008.

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Edward C. Voss  
United States Magistrate Judge